


de maximis, inc.

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April 15, 2010

VIA ELECTRONIC & US MAIL

Ms. Stephanie Vaughn
ATTN: Lower Passaic River Remedial Project Manager
Emergency and Remedial Response Division
U.S. EPA, Region 2
290 Broadway, 19th Floor
New York, New York 10007

**Re: Monthly Progress Report No. 35 – March 2010
Lower Passaic River Study Area (LPRSA) Remedial Investigation/
Feasibility Study (RI/FS)
CERCLA Docket No. 02-2007-2009**

Dear Ms. Vaughn:

de maximis, inc. is submitting this Monthly Progress Report for the above-captioned project on the behalf of the RI/FS Agreement Settling Parties (Cooperative Parties Group or CPG) pursuant to the Administrative Settlement Agreement and Order on Consent (Settlement Agreement or AOC). The Progress Report satisfies the reporting requirements of Paragraph 42 of said Settlement Agreement.

(a) Actions which have been taken to comply with this Settlement Agreement during the previous month.

Meetings/Conference Calls

- On March 3, CPG attended the quarterly EPA LPRSA/Newark Bay Project Delivery Team Meeting.
- On March 4, CPG attended an EPA meeting with Tierra Solutions to discuss the Combined Sewer Overflow/Stormwater Outfall (CSO/SWO) Work Plan.

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- On March 4, CPG, EPA and CPG contractors held a conference call to discuss fish tissue compositing.
- On March 5, CPG, EPA and EPA contractors held a conference call to discuss the CPG's February 12 response to EPA comments on the draft Physical Water Column Monitoring (PWCM) QAPP Addendum.
- On March 15, CPG, EPA, and EPA and CPG contractors held a conference call to discuss mobilization for collection of wet-weather PWCM samples on March 16.
- On March 31, CPG, EPA, and EPA and CPG contractors held a conference call to discuss proposed tributary wet weather sampling locations for the PWCM program.

Correspondence

- On March 1, CPG submitted a letter to EPA outlining issues with the PREmis database identified by the CPG and its consultants.
- On March 1, CPG provided EPA with an initial deployment schedule for the spring 2010 PWCM survey.
- On March 9, EPA provided a general acceptance of the majority of the responses to the PWCM QAPP Addendum provided by the CPG on February 12, 2010 and documented discussions regarding the responses.
- On March 15, CPG provided a proposed schedule and contact information for field activities related to the on-water activities for the week for the PWCM program.
- On March 15, CPG submitted the February Progress Report to EPA.
- On March 17, CPG provided EPA an updated PWCM spring 2010 Deployment schedule.
- On March 22, EPA provided questions to CPG regarding the methodology used for the 2007 and 2008 bathymetric surveys.
- On March 23, CPG responded to EPA questions about the selection criteria for the PWCM wet weather tributary upstream sampling locations proposed in the PWCM QAPP.
- On March 24, CPG provided a database of the 2008 Low Resolution Coring data to EPA.
- On March 25, EPA provided comments on Part 1 of the Revised Fish Tissue Analysis Plan.
- On March 25, EPA provided comments on the 2009 Fish/Decapod Tissue Collection Field Report.

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- On March 29, EPA provided SOP guidelines and ASTM guidance to CPG for a Caged Bivalve Study.
- On March 31, CPG provided responses to EPA regarding the March 10, 2010 Alpha Analytical audit and various tissue study activities.
- On March 31, CPG provided an agenda to EPA for an April 6, 2010 Modeling Progress Call.

Work

- Wet-weather samples were collected during the high flow event on March 16 for the PWCM spring 2010 survey.
- Spring 2010 deployment of the PWCM survey began with the moorings deployed between March 19 and March 24; the transact survey was conducted on March 25.
- CPG Modeling Team continued work on the LPR/Newark Bay Sediment Transport Model using a version of SIT-SEDZL-J.
- Crab tissue sample compositing/homogenization lab work began March 1.
- CPG continued reviewing the Newark Bay (NB) physical water column monitoring data collected by Sommerfield and Chant.
- CPG continued reviewing the fall 2009 PCWM data.
- CPG continued planning activities for the Chemical Water Column Monitoring (CWCM) QAPP.
- CPG continued preparation of Risk Assessment Tech Memos as requested by EPA in comments on the approved Problem Formulation Document, Fish/Crab Tissue and Benthic QAPPs.

(b) Results of Sampling and Tests

- On March 15, copies of lab EDD files and Excel data tables from the December 2009 PWCM event that were validated in February 2010 and the associated field measurements taken at the time of sampling were posted to the PREmis web portal.
- On March 17, preliminary electronic data (raw EDDs) for the benthic sediment sampling activities were submitted to EPA.
- On March 24, data validation packages for the fall PWCM deployment were uploaded to the PREmis web portal in three ZIP files, one per month containing both lab package PDFs and DVRs.

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(c) Work planned for the next two months with schedules relating to the overall project schedule for RI/FS completion

- CPG will continue the spring deployment of the PWCM survey.
- The first instrument servicing and transect event for the PWCM is scheduled for mid April.
- CPG will continue reviewing the fall 2009 PWCM data.
- CPG will continue planning activities for the CWCM QAPP.
- Risk Analysis and Risk Characterization Plan (RARC Plan), including Appendix A (COPC Selection Process Tech Memo) and Appendix B (Background Approach Tech Memo) are scheduled for submission to EPA on April 16.
- CPG will continue work on the Risk Assessment TRV Tech Memo which is scheduled for submission to EPA in May.
- CPG will continue to develop of QAPP Addenda related to the 2010 Fish/Decapod and Benthic Community Surveys for submission to EPA; the spring surveys, pending EPA approval of these QAPP Addenda, would be initiated in May.
- CPG Modeling Team will continue work on the LPR/NB Sediment Transport Model.

(d) Problems encountered and anticipated problems, actual or anticipated delays, and solutions developed and implemented to address actual or anticipated problems or delays.

- None encountered.

If you have any questions, please contact me or Rob Law at (908) 735-9315.

Very truly yours,

de maximis, inc.


Willard F. Potter
Project Coordinator

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cc: Pat Hick, EPA Office of Regional Counsel
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